

**BAY OAKS COUNTRY CLUB, INC.**DIRECT: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_

TY WARD

January 27, 2009

**VIA FACSIMILE: (202) 219-3923 &  
U.S. FIRST CLASS MAIL**

Mr. Jeff S. Jordan, Esq.  
Supervisory Attorney  
Federal Election Commission  
999 E. Street, NW  
Washington, D.C. 20463

Re: MUR 6145

Dear Mr. Jordan:

Please allow this letter to serve as Bay Oaks Country Club, Inc.'s ("Bay Oaks") response regarding the allegation that it violated the Federal Election Campaign Act of 1971, as amended (the "Act").

Bay Oaks wishes for this response to remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A).

**John Wieder's Complaint**

Pursuant to the materials supplied by the Federal Election Commission ("FEC"), it is Bay Oaks' understanding that John Wieder presented the allegation to the FEC that Bay Oaks "is donating their building to hold the debate." Thus, Mr. Wieder alleges that Bay Oaks violated the Act as a result of a political debate being held at its premises.

**Bay Oaks' Response**

Bay Oaks is a country club located in Houston, Texas. The Bay Area Houston Economic Partnership ("BAHEP") is a corporate member of Bay Oaks. As a member, BAHEP is allowed to reserve certain rooms of Bay Oaks that are dedicated for private/social events. Furthermore, BAHEP's membership with Bay Oaks allows it to hold events without being responsible for any room charges; however, food and beverage charges do apply. Attached hereto as Exhibit "A" is BAHEP's membership file with Bay Oaks. Also, attached hereto as Exhibit "B" is a document from Bay Oaks that describes the process of reserving its room(s) for private events. Under the heading "Non-Member Usage Fee" it states a "benefit of membership at Bay Oaks Country Club is use of the dining and party facilities at no charge."

BAHEP contacted Bay Oaks for the purposes of reserving the Lakeview Room, The Oak Room, and The Cypress Room for the "BAHEP Political Forum" to be held on October 20.

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

JAN 27 2 34 PM '09

10044260376

2008. Attached hereto as Exhibit "C" is the Bay Oaks Country Club Function Sheet that was completed pursuant to BAHEP's reservation request.

The enclosed documents demonstrate the extent of Bay Oaks' involvement with the BAHEP Political Forum. Pursuant to its membership, BAHEP reserved the Bay Oaks' meeting rooms for the event held on October 20, 2008, and BAHEP was charged for the cost of food and beverages, in accordance with its membership.

Bay Oaks was not involved nor had any control over who was invited to the BAHEP Political Forum.

Thus, Bay Oaks completely denies that it has violated any provisions of the Act.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

BAY OAKS COUNTRY CLUB, INC.



Ty Ward

Enclosures

10044260377

# EXHIBIT

“B”

10044260378

## When Reserving A Private Function with Bay Oaks Country Club

### Deposit

The Club requires a \$1000 deposit in order to secure the date of the function & the rooms. If your deposit is not received by the due date, your reservation will be cancelled. A second deposit in the amount of 50% of the estimated total will be due 90 days prior to the event date. The final balance is due three working days prior to your event. All deposit (s) are non-refundable and non-transferable.

**Non-Member Usage Fee:** A fee of \$750.00 will be collected from all Non-Member's for Saturday Evening Events. A fee of \$450 will be collected for all Non-Member events on Friday Evenings, Saturdays before 5pm and Sunday Evenings. Fees will be reduced by 50% with Member Sponsorship. A benefit of membership at Bay Oaks Country Club is use of the dining and party facilities at no charge. Member/Non-Member Ceremony Fees begin at \$500.

### Balance of Payment

The final Payment of the total estimated charges is three working days before the day of your event by cash, cashiers check, MasterCard/Visa, or billed to your member account. A valid credit card (MasterCard/Visa) is required at the time you sign your contract to be kept on file, if final bill is not paid within the allotted time your credit card will be charged for the balance.

### Guarantee on All Food and Beverage

A Guaranteed number of guests is required by 12:00 noon, 3 working days prior to event date. This Guarantee represents your billing minimum and will not be subject to reduction. If a guarantee is not received, then the original count or actual number in attendance, whichever is greater, will be charged.

### State Sales Tax & Service Charge

The following pricing is subject to 8.25% Texas Sales Tax and 20% Service charge.

### Food and Beverage Minimum

This is the minimum dollar amount required to be spent to guarantee the above function space reservation. This amount includes food and beverage and does not decrease if the expected attendance is not reached. The minimum expenditure does not include the 20% service charge, 8.25% sales tax, and any other non-food charges. Rental of the facility is 4 hours, with \$200 charge for every hour exceeding the allotted time.

**Friday Evenings ~ \$3,000**

**Saturday Afternoon ~ Concluding by 5pm \$3,000**

**Saturday ~ After 5pm \$5,000**

**Sunday Evenings ~ \$3,000**

### Cancellation

In the event Member/Client cancels the Function for any reason, Club will retain all nonrefundable deposits. In addition, the Club will be entitled to a cancellation fee as follows:

Less than 90 days prior to the event-	50% of the estimated cost of the function
Less than 60 days prior to the event -	75% of the estimated cost of the function
Less than 30 days prior to the event-	100% of the estimated cost of the function

### Tastings

Tastings are hosted by the Chef on Wednesday evenings only. Tastings must be scheduled a minimum of two weeks advance notice. No more than six people may participate in a tasting.

**Miscellaneous Provisions**

- ♥ All pricing is subject to change based upon Market conditions.
- ♥ The Club's dress code does not allow jeans, tank tops, cut-off shorts or tee shirts in the Clubhouse
- ♥ The Client must provide Place cards for all Private Events that have selected 2 or more entrees for a Plated Meal. Placecards are available through the Club at a charge of \$1.00/per person
- ♥ No Food or Beverage is allowed to be brought or taken from the Club's property. Exceptions for Special Occasion Cakes only. Specialty cakes may be brought in with prior approval from the Club.
- ♥ Liability for damages to the premises will be charged accordingly.
- ♥ The Texas Alcoholic Beverage Commission regulates the sale and service of alcoholic beverages. Bay Oaks Country Club is responsible for the administration of those regulations. Therefore, all alcoholic beverages must be purchased through the Club.

**Menus**

Bay Oaks Country Club is pleased to furnish you with several suggested menus. We welcome the opportunity to custom design a menu especially for you. All food & beverage must be purchased through the Club. No outside catering is allowed. Final menu selections must be made 90 days in advance of your event. This allows our staff and the Chef time to plan and prepare for your function. Due to fluctuations in the food market, some prices may change but are guaranteed 90 days prior to your event.

**Decorations**

- ♥ We are happy to provide you with complimentary 85" table linens and napkins in black, ivory or white. Specialty Linens are available for an additional charge.
 

85" Poplin Overlay ~ \$10.00 per table	Colored Poplin Napkins ~ \$1.00 each
61" Poplin Overlay ~ \$4.00 per table	Ivory, Black or White Sateen Floor Length ~ \$17.00 per table
Sateen Chair Covers ~ \$5.00 per chair (includes sashes)	Sateen Chair Sashes ~ \$3.00 per sash
- ♥ Mirror tiles, hurricane globes & a pillar candle are provided complimentary, as well as votive candles to accentuate your tablescape.
- ♥ Ice Carvings are available for an additional fee starting at \$275. Chocolate Fountains are available for a fee of \$550, and includes unlimited bounty of fixings and an attendant. Our exclusive Chocolate Fountain provider is Fountains of Chocolate.

**Outside Vendor**

You are welcome to bring in a vendor of your choosing. We would be happy to assist you in finding the perfect florist, baker, photographer and entertainer to compliment your event. Some of the vendors on our preferred vendor list provide discounts when booking at Bay Oaks Country Club. Payment for their services may be made directly through the Club. Ask your Private Event Director about Preferred Vendor Rates.

**Labor Charges**

Our Wedding Packages include the chef attendant fee. For items on the A la Carte menu, the fee is \$50 per attendant. Cashier or Bartenders are assessed a \$50 fee per employee. Bay Oaks Country Club offers complimentary Cake Cutting and Service.